Appendix

Section 8505 of the Nevada Compiled Laws, 1929, mentioned in the concurring opinion in the Circuit Court of Appeals, reads as follows:

> "No action can be brought for or in respect to real property by any person claiming under letters patent, or grants from this state, unless the same might have been commenced by the state as herein specified in case such patent had not been issued or grant made."

Section 8513 of the Nevada Compiled Laws, 1929, also mentioned in the concurring opinion in the Circuit Court of Appeals, reads as follows:

> "Whenever it shall appear that the occupant, or those under whom he claims, entered into the possession of premises, under claim of title, exclusive of any other right, founding such claim upon a written instrument, as being a conveyance of the premises in question, or upon the decree or judgment of a competent court, and that there has been a continued occupation and possession of the premises included in such instrument, decree, or judgment, or of some part of such premises, under such claim, for five years, the premises so included shall be deemed to have been held adversely, except that where the premises so included consist of a tract divided into lots, the possession of one lot shall not be deemed a possession of any other lot of the same tract."

Section 8514 of the Nevada Compiled Laws, 1929, also mentioned in the concurring opinion in the Circuit Court of Appeals, reads as follows:

> "For the purpose of constituting adverse possession by any person claiming a title, founded upon a written instrument, or judgment, or decree, land shall be deemed to have been possessed and occupied in the following cases:

1. Where it has been usually cultivated or improved.

2. Where it has been protected by a substantial inclosure.

3. Where, though not inclosed, it has been used for the supply of fuel, or of fencing timber, for the purpose of husbandry; or, for the use of pasturage, or for ordinary uses of the occupant.

4. Where a known farm or single lot has been partly improved, the portion of such farm or lot that may have been left not cleared, or not inclosed according to the usual course and custom of the adjoining country, shall be deemed to have been occupied for the same length of time as the part improved and cultivated."

Section 8517 of the Nevada Compiled Laws, 1929, also mentioned in the concurring opinion in the Circuit Court of Appeals, reads as follows:

"In no case shall adverse possession be considered established unless it be shown, in addition to the above requirements, that the land has been occupied and claimed for the period of five years, continuously, and that the party or persons, their predecessors and grantors, have paid all taxes, state, county and municipal, which may have been levied and assessed against said land for the period above mentioned."